

ORIGINAL

FILED

October 6 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0470

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JAMES LEON ALLEN,

Defendant and Appellant

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

**MOTION FOR EXTENSION OF TIME TO PRODUCE
TRANSCRIPTS ON APPEAL**

COMES NOW, Joslyn Hunt, Chief Appellate Defender, and respectfully requests an extension of time until November 19, 2009, in which to prepare, file, and serve the transcripts on appeal. An affidavit from Laurie Crutcher is attached to this motion. Counsel also notes that Ms. Crutcher was not originally served with a copy of the transcript request. The request was sent to the wrong reporter and not given immediately to Ms. Crutcher. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 6th day of October, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
P.O. Box 200145
Helena, MT 59620-0145

By: Joslyn Hunt
JOSLYN HUNT
Chief Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to Produce Transcripts on Appeal to be mailed to:

JOHN T. FLYNN
Broadwater County Attorney
P.O. Box 96
Townsend, MT 59644-0096

LAURIE CRUTCHER
Official Court Reporter
P.O. Box 1192
Helena, MT 59624

JAMES ALLEN
P.O. Box 1833
East Helena, MT 59635

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
215 North Sanders
Helena, MT 59620-1401

DATED: 10/6/09

Sarah L. Brader

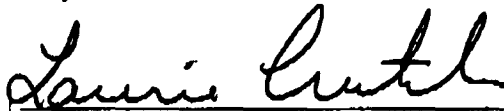
MONTANA FIRST JUDICIAL DISTRICT COURT, BROADWATER COUNTY

STATE OF MONTANA) Cause No. DC -8-16
)
Plaintiff,)
)
V.)
)
JAMES LEON ALLEN,)
)
Defendant .)

AFFIDAVIT

I. LAURIE CRUTCHER, Court Reporter pro tempore in the above-captioned case. do hereby certify that I received the request for the transcript on appeal in this matter on October 5, 2009, and request 45 days in which to prepare the transcript.

Respectfully submitted this 6th day of October, 2009.



Laurie Crutcher , Court Reporter, Notary Public
My commission expires 3/9/2012